

# 2021 Legislative Agenda - Housing

GREAT NEIGHBORHOODS COMMITTEE  
SEPTEMBER 16, 2020

## Purpose

- ◀ **Review 2021 Legislative Requests recommended by the Housing Recovery Taskforce**
  - Low Income Housing Tax Credits
  - Evictions
  - Fair Housing

# Low Income Housing Tax Credits (State)

## LOW-INCOME HOUSING tax credit program

### Background:

- North Carolina currently does not offer state Low Income Housing Tax Credits (LIHTC)
- Many States have enacted legislation for the implementation of a State LIHTC.
- Affordable housing developers have shown long standing support for this action and agree that implementation of a State Tax Credit would aid in increasing the number of affordable housing units throughout the State

### Legislative Request (Housing Task Force recommendation):

- Advocate for new State Tax Low Income Housing Tax Credit to:
  - Reduce the amount of local dollars required from the Housing Trust Fund
  - Increase our local leverage of state and federal dollars

# Low Income Housing Tax Credits (Federal)

## LOW-INCOME HOUSING tax credit program

### Legislative Request (Housing Task Force recommendation):

- **Support passage of the Federal Moving Forward Act to:**
  - Increase the amount of *Housing Credit* and Private Activity Bond authority provided to states annually
  - Establish a permanent minimum 4 percent housing tax rate
  - Establish a new state-administered single-family housing tax credit for rehabilitation and new construction of homes in distressed areas

# Eviction Relief - Post Judgment (State)



## Background:

### **Eviction Records follow individuals and families**

- Impediment to securing housing
- Create housing instability
- Create hurdles for upward economic mobility, such as buying a home, purchasing a car, etc.

### **Legislative Request (Housing Task Force recommendation):**

- **Request an amendment to the State Landlord and Tenant Act to add Post Judgement Relief Agreement**
  - Allow residents to have evictions removed from their records upon payment in full of the outstanding judgement
  - Allow landlords to recover the outstanding debt/judgement amount
  - State legislation is required and proposed state legislation did not advance in the 2018 and 2019 sessions

# Eviction Relief – Credit Reporting (Federal)



## **Legislative Request (Housing Task Force recommendation):**

- **Request federal legislation to require landlords/courts to identify evictions that result from COVID-related financial impacts for credit reporting purposes**
  - Credit reporting is governed by federal guidelines, such as the Fair Credit Reporting Act
  - Creating a mechanism that provides relief for evictions that occurred as a result of the unprecedented economic impacts of COVID-19 will help residents with their future housing needs
  - Could include sealing the related eviction records, notating the evictions as COVID-19 related, passing legislation that these evictions cannot be held against the renter, etc.

# Fair Housing – SOID (State/Federal)



## Background:

- Source of income discrimination (SOID) is often directed at those whose lawful income comes from sources other than a paycheck, including social security payments, any form of government assistance (veteran benefits, disability income), child support, and housing vouchers of any kind
- In searching for housing, many households, face discrimination by landlords who are unwilling to rent to voucher holders

## Legislative Request (Housing Task Force recommendation):

- **Request legislation to amend state and federal Fair Housing Laws to end SOID**
  - The City Attorney has determined that the most straightforward approach to implementing this initiative is to seek legislative authority from the General Assembly.

# Fair Housing – Re-entry (State)



## Background:

- Criminal backgrounds negatively impact housing stability, and often follow people for a lifetime.

## Legislative Request (Housing Task Force recommendation):

- **Request legislation to amend state Landlord-Tenant and Fair Housing laws to end housing discrimination for persons with misdemeanor and some felony criminal records, including legislation that:**
  - Prohibits landlords on asking about criminal convictions before otherwise qualifying a potential tenant
  - Allows applicants to provide evidence of rehabilitation when a landlord wants to deny an applicant based on their misdemeanor and some felony criminal history
  - Allows applicants to file complaints if they believe they have been discriminated against
  - The City Attorney has determined that the most straightforward approach to implementing this initiative is to seek legislative authority from the General Assembly

## Next Steps

- ◀ Recommendations will be shared with City Council at an upcoming Strategy session.

# Questions?